

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEVEN R. BLAIR,)
)
 Plaintiff,) 8:07CV295
)
)
 v.)
)
 RANDY ANDERSON, KEVIN) MEMORANDUM AN
 HOUSH, DONALD TRUCKENBROD,)
 MICHAEL SCOTT, JASON)
 CHRISTENSEN, and LORI)
 ANZALDO, in their individual and)
 official capacities,)
)
 Defendants.

IT IS ORDERED:

- 1) The plaintiff's unopposed oral motion to continue the pretrial conference is granted.
- 2) In accordance with the agreement of the parties, a new progression schedule is entered as follows:
 - a. A jury trial is set to commence, at the court's call, during the week of September 20, 2010, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon. Unless otherwise ordered, jury selection shall be at the commencement of trial.
 - b. The Final Pretrial Conference will be held before Magistrate Judge Thomas D. Thalken on September 10, 2010 at 9:00 a.m. in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The final pretrial conference shall be attended by lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2. By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin immediately thereafter. The pretrial conference will include a discussion of settlement, and counsel shall be prepared through investigation,

discovery and communication with clients and insurers, if any, to discuss fully the subject of settlement, including realistic expectations about liability, obstacles to agreement, offers made, and offers which can be made at the conference. Counsel shall be prepared to make additional offers or proposals for settlement in behalf of their clients at the pretrial conference, and counsel shall be prepared to make or opine on recommendations for further negotiations and conferences.

- c. Any motions to amend the pleadings shall be filed on or before May 24, 2010.
- d. On or before June 1, 2010, the parties shall identify any experts they may call at trial. See Fed. R. Civ. P. 26(a)(2)(A).
- e. On or before July 1, 2010, expert reports shall be disclosed in accordance with Rule 26(a)(2)(A) of the Federal Rules of civil Procedure.
- f. The discovery and deposition deadline is August 1, 2010. Motions to compel discovery must be filed at least 15 days prior to the discovery and deposition deadline.
- g. Any motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds, if any, shall be filed on or before August 15, 2010.
- h. Motions to alter dates. All requests for changes of deadlines or settings established herein shall be directed to Magistrate Judge Thalken by appropriate motion, including all requests for changes of trial dates. Such motions shall not be considered in the absence of a showing by counsel of due diligence in the timely development of this case for trial and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

DATED this 29th day of April, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge